

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

UNITED STATES OF AMERICA

§

VS.

§ MAGISTRATE No. C-12-844-1

LARRY SMITH JR

§

MEMORANDUM OPINION AND ORDER OF DETENTION PENDING TRIAL

A detention hearing has been held in accordance with the Bail Reform Act, 18 U.S.C. § 3142(f). The following requires detention of the defendant pending trial in this case:

- (1) There is a serious risk that the defendant will not appear; and
- (2) There is a serious risk that the defendant will endanger the safety of another person or the community.

The evidence against the defendant is substantial. The defendant admitted he used false identification to set up bank accounts to cash treasury checks in fictitious names. The findings and conclusions contained in the Pretrial Services Report are adopted. The defendant has been unable, in the past, to comply with court-ordered conditions of release. He has failed to appear for court in the past. He is a poor bond risk.

The defendant is committed to the custody of the United States Marshal or his designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an

attorney for the Government, the person in charge of the corrections facility shall deliver the defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

ORDERED this 17th day of August, 2012.



B. JANICE ELLINGTON
UNITED STATES MAGISTRATE JUDGE